

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
FRANK MERCADO, individually and as administrator of  
the Estate of DAVID MERCADO, and EVELYN  
MERCADO,

Plaintiffs,

- against -

THE CITY OF NEW YORK, DEPARTMENT OF  
CORRECTION COMMISSIONER MARTIN F. HORN,  
JOHN DOE CORRECTION OFFICERS ##1-5, PRISON  
HEALTH SERVICES, INC., MICHAEL CATALANO,  
C.E.O. OF PRISON HEALTH SERVICES, INC.,  
DEPARTMENT OF HEALTH AND MENTAL  
HYGIENE MEDICAL DIRECTOR TREVOR PARKS,  
DEPARTMENT OF HEALTH AND MENTAL  
HYGIENE PROGRAM DIRECTOR REBECCA PINNEY,  
DEPARTMENT OF HEALTH AND MENTAL  
HYGIENE DEPUTY COMMISSIONER JAMES  
CAPOZIELLO, DEPARTMENT OF HEALTH AND  
MENTAL HYGIENE MEDICAL DIRECTOR DOCTOR  
BENJAMIN OKONTA, PRISON HEALTH SERVICES,  
INC., EMPLOYEES ##1-5

Defendants.  
-----X

**08 CV 2855**

**RULE 7.1 STATEMENT**

**TRIAL BY JURY  
DEMANDED**

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure and to enable Judges and Magistrate Judges to evaluate possible disqualification or recusal, the undersigned counsel of record for defendant, PRISON HEALTH SERVICES, INC., a non-governmental corporate party, certifies that it is and was a publicly owned corporation. Defendant PRISON HEALTH SERVICES, INC. does have a parent corporation and upon information and belief there are


publicly held parents, subsidiaries and affiliates of PRISON HEALTH SERVICES, INC.

Dated: New York, New York  
July 17, 2008

Respectfully submitted,

HEIDELL, PITTONI, MURPHY & BACH, LLP  
Of Counsel to MICHAEL A. CARDOZO, ESQ.,  
Corporation Counsel of the City of New York

By:



PAUL S. HABERMAN (PH 2771)  
Attorneys for Defendant  
PRISON HEALTH SERVICES, INC.  
Office & P.O. Address  
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New York, New York 10016  
(212) 286-8585

TO: Andrew B. Stoll, Esq.  
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Colleen M. Meenan, Esq.  
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Attorneys for Plaintiff EVELYN MERCADO  
64 Fulton Street, Ste. 502  
New York, NY 10038

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF NEW YORK    )


**Jennifer Alvarado**, being sworn, says:

I am not a party to the action, am over 18 years of age and am employed by HEIDELL, PITTONI, MURPHY & BACH, LLP.

On **July 17, 2008**, I served a true copy of the annexed **RULE 7.1 STATEMENT** in the following manner: by mailing the same in a sealed envelope, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the last-known address of the addressee(s) as indicated below:

TO: Andrew B. Stoll, Esq.  
STOLL, GLICKMAN & BELLINA, LLP  
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Colleen M. Meenan, Esq.  
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Attorneys for Plaintiff EVELYN MERCADO  
64 Fulton Street, Ste. 502  
New York, NY 10038

  
Jennifer Alvarado

Sworn to before me this  
19th day of July, 2008

  
NOTARY PUBLIC

IDALIA SANCHEZ  
Notary Public, State of New York  
No. 01SA6161579  
Qualified in Queens County  
Commission Expires Feb. 26, 20 11